IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.2479 OF 2005

Mrs.Anita Anil Hada and
Ors. ..Applicants

Vs.

The State of Maharashtra
and Anr. ..Respondents

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Mr.A.V.Bajaj i/b Kamal Jain for Applicants
Ms.Rekha V.Tawade along with Mr.Ananjay Singh
i/b M/s.M.V.Kini & Co. for Respondents
Mr.V.B.Konde-Deshmukh A.P.P. for State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 10, 2005

P.C.

1. Heard the learned advocate for the applicants, respondents and the learned A.P.P. for the State.

2. The applicants are seeking quashing of process issued against them in Case No. 471/S/2003 pending before the learned Metropolitan Magistrate, Dadar, Mumbai. In the said case, the process has been issued against the applicants under Sections 138 r.w.141 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 8th

June, 2005 in Cri.Application No. 645 of 2005 and order dated 9th June, 2005 in Cri.Application No.1379 of 2005, in my view, it is clear that the applicants have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicants prefer a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer the necessary revision before the concerned Sessions Court. Stay to the proceedings before the trial Court is granted for a period of four weeks in order to enable the applicants to approach the Sessions Court.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing necessary parties.

6. Criminal Application is disposed of.

[V.K.TAHILRAMANI,J.]